

REMARKS

Claims 5 and 13 were previously pending.

Applicants have canceled Claim 5, added new Claims 14, 15, 16, 17, and 18; and have amended Claim 13 to conform language and change dependency to Claim 14. New Claim 18 mirrors Claim 13 but depends from Claim 16.

Thus, Claims 1-12 are cancelled. And Claims 13-18 pend.

Imprimis, Applicants representative gratefully acknowledges the helpful telephonic interviews had in this case on April 6 and June 8, 2011.

Turning to the Official Action:

Claims 5 and 13 were rejected under 35 USC §103 citing Brendel (US 6531495) in view of US Publication 2002/0161018.

Applicants have presented new Claims 14-17 which identify the hourly dose of one of the two actives that the pharmaceutical preparation provides when administered to the subject mammal, as against the weight ratio to same for the other active. As shown in Table 1, page 31 of the specification, the preparation claimed in Claims 14 and 15 evince unexpected synergy. Table 2 at page 32 shows unexpected synergy for the preparation of Claims 16 and 17. None of the benefits obtained with the now claimed invention is obvious over the art cited under 35 USC §103. Claims 13 and 18 provide a more preferred weight ratio off the respective base claims.

WHEREFORE, it is believed the application is in condition for allowance, passage to which is earnestly solicited.

Should the Examiner wish to discuss this matter, they are invited to contact the undersigned as indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Catania', written in a cursive style.

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